## REMARKS

Applicant cancelled claims 7, 9, and 10, and amended claims 1-6, 8, 16, 19-21, 25, and 42 to further define Applicant's claimed invention. Support for the amendment to independent claim 1 is found at least on page 6, line 17 to page 9, line 25 and in FIG. 4 of the application. Support for the amendment to independent claim 25 is found at least on page 11, line 22 to page 12, line 8 of the application. Support for the amendment to independent claim 42 is found at least on page 8, lines 3-4, page 9, lines 24-25, page 12, lines 14-16 and in FIG. 4 of the application. No new matter has been added.

In the Office Action, the Examiner rejected claims 1-4, 6, 8-12, 16, 18, 19, and 21 under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent No. 6,314,451 to Landsman et al. ("Landsman").

Independent claim 1, as now amended, recites the steps of: "detecting a user session, the session commencing upon the user interacting with the user interface, the user interface being a graphical display of software presented on the display;" and "interrupting delivery of the user requested content to the visual display to deliver the advertising content if the interval of time of the ad timer has elapsed." Landsman fails to teach or suggest at least these steps of independent claim 1.

Landsman teaches an agent that "politely and transparently downloads, through the client browser and to the browser cache, both media and player files, originating from the advertisement management server, for an advertisement that are needed to fully play content in that advertisement." (Landsman, col. 10, lines 33-38). Landsman states: "while a fully downloaded advertisement is interstitially played from browser cache, the new content page is downloaded over the full bandwidth of communications link 9. Advantageously, the communications link is freed during each interstitial interval to just carry web page content, thereby expediting download of content pages." (Landsman, col. 22, lines 14-20). Thus, Landsman teaches displaying ads from a user's browser cache while the user requested content (i.e., the next clicked-on webpage) is being delivered to the user's visual display at an enhanced speed.

Landsman does not teach interrupting delivery of the user requested content to the visual display to deliver the advertising content as recited in independent claim 1.

Landsman discloses an ad agent that "monitors a click-stream generated by a user" of the browser. (Landsman, col. 10, lines 38-39). Landsman defines the term "click-stream" to "encompass any user-initiated transition to a new content page, whether it is a mouse click, key depression or history state change." (Landsman, col. 26, lines 41-44). In Landsman, the ad agent "downloads advertising files" and "subsequently plays those media files through the browser on an interstitial basis and in response to a user click-stream." (Landsman, col. 10, lines 5-6 and 10-12). Landsman specifically teaches that it is the "user-initiated action, e.g., a mouse click, which instructs the client browser to transition to a next successive content web page" that "signifies a start of an interstitial interval." (Landsman, col. 10, lines 39-43). Thus, Landsman teaches detecting user-initiated transitions from one web page to the next to deliver interstitial ads in those transitions. Landsman does not teach detecting a user session that commences upon the user interacting with the user interface as recited in independent claim 1.

Applicant submits that the Examiner's rejection of claim 1 under 35 U.S.C. § 102(e) as being unpatentable over Landsman has been overcome. It is submitted that the rejection of claims 2-4, 6, 8, 11-12, 16, 18, 19, and 21 under 35 U.S.C. § 102 (e) as being anticipated by Landsman have been overcome at least because these claims depend from an allowable independent claim, or claims dependent therefrom.

The Examiner rejected claims 5, 7, 14, 22-31, 33, 35, 36, and 38-41 under 35 U.S.C. § 103(a) as being unpatentable over Landsman. Independent claim 25, as now amended, recites the steps of "detecting the user's interaction with the user interface," and "launching the advertising content to the visual display after a selected elapsed interval of time if the user's interaction with the user interface occurs during the selected elapsed interval of time." Landsman fails to teach or suggest at least these limitations of claim 25.

As discussed above, Landsman teaches detecting user-initiated transitions from one web-page to the next in order to deliver interstitial ads in those transitions. Landsman does not teach or suggest detecting the user's interaction with the user interface as recited in independent claim 25.

Landsman teaches a user-event triggered ad play in which an advertisement is delivered "[i]in response to a user-initiated action, e.g., a mouse click, which instructs the client browser to transition to a next successive content web page." (Landsman, col. 10, lines 38-42). In Landsman, there is a timer based ad play in which "the user will periodically view advertisements delivered at regular time intervals rather than by user initiated events." (Landsman, col. 32, lines 31-35). Landsman does not teach launching the advertising content to the visual display after a selected elapsed interval of time if the user's interaction with the user interface occurs during the selected elapsed interval of time as recited in independent claim 25.

Applicant respectfully disagrees with the Examiner's statement that claim 25 "reads on displaying the advertising content after a period of inactivity by the user, i.e., similar to a screen saver, which are well known in the art." (Office Action, page 6, lines 4-5). Claim 25 recites "launching the advertising content to the visual display after a selected elapsed interval of time if the user's interaction with the user interface occurs during the selected elapsed interval of time." Thus, in opposition to a screen saver, claim 25 recites launching of advertising content if user activity, not inactivity, occurs during a selected elapsed interval of time. This limitation is not taught or suggested by Landsman.

Applicant submits that the rejection of claim 25 under 35 U.S.C. § 103(a) as being unpatentable over Landsman has been overcome. It is submitted that the rejection of claims 5, 14, 22-31, 33, 35, 36, and 38-41 under 35 U.S.C. § 103(a) as being unpatentable over Landsman have been overcome at least because these claims depend from an allowable independent claim, or claims dependent therefrom.

The Examiner rejected claims 15, 34, 42, 43, and 45-48 under 35 U.S.C. § 103(a) as being unpatentable over Landsman in view of U.S. Publication

No. 2002/016736 to Cannon et al. ("Cannon"). Independent claim 42, as now amended, recites the step of "saving the address requested by the user and interrupting the delivery of the contents of the address if a selected interval of time has elapsed since said time-stamping step." Neither Landsman nor Cannon, whether alone or in proper combination, teach or suggest such a claim limitation.

As discussed above, Landsman teaches displaying ads from a user's browser cache while the user requested content (i.e., the next clicked-on webpage) is being delivered to the user's visual display at an enhanced speed. Landsman states that an advantage of his invention is that "the communications link is freed during each interstitial interval to just carry web page content, thereby expediting download of content pages." (Landsman, col. 22, lines 18-20). Thus, in Landsman, the user requested content pages are being downloaded at the time that interstitial ads are played from the user's browser cache. However, Landsman does not teach or suggest saving the address requested by the user and interrupting the delivery of contents of the address as recited in independent claim 42.

Applicant submits that the Examiner's rejection of claim 42 under 35 U.S.C. § 103(a) as being unpatentable over Landsman in view of Cannon has been overcome. It is submitted that the rejection of claims 15, 34, 43, and 45-48 under 35 U.S.C. § 103(a) as being unpatentable over Landsman in view of Cannon have been overcome at least because these claims depend from an allowable independent claim, or claims dependent therefrom.

The Examiner rejected claims 13 and 32 under 35 U.S.C. § 103(a) as being unpatentable over Landsman in view of U.S. Patent No. 6,094,677 to Capek et al. ("Capek"); rejected claims 17, 20, and 37 under 35 U.S.C. § 103(a) as being unpatentable over Landsman in view of U.S. Patent No. 6,011,537 to Slotznick; rejected claim 44 under 35 U.S.C. § 103(a) as being unpatentable over Landsman in view of Cannon and further in view of Capek. Applicant submits that the rejections of dependent claims 13, 17, 20, 32, 37, and 44 have been overcome at least because

these claims depend from allowable independent claims 1, 25, and 42, respectively, or claims dependent therefrom.

Applicant submits that independent claims 1, 25, and 42 are patentable and that dependent claims 2-6, 8-24, 26-41, and 43-48 dependent from independent claims 1, 25, 42, respectively, or claims dependent therefrom, are patentable at least due to their dependency from an allowable independent claim.

In view of the foregoing remarks, it is respectfully submitted that the claims, as amended, are patentable. Therefore, it is requested that the Examiner reconsider the outstanding rejections in view of the preceding comments. Issuance of a timely Notice of Allowance of the claims is earnestly solicited.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

By: _____
Amedeo F. Ferraro
Registration No. 37,129

Dated: January 10, 2007

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030